
Transportation Committee

HB 1475

Brief Description: Modifying child passenger restraint provisions.

Sponsors: Representatives Schual-Berke, Jarrett, Murray, Kessler, Wood, Skinner, Hankins, Woods, Dunshee, Wallace, Dickerson, Upthegrove, Curtis, Lovick and Morrell.

Brief Summary of Bill

- Updates requirements for child passenger restraints to reflect changes in child restraint devices and research.
- Holds child car seat inspectors harmless for damages.

Hearing Date: 2/7/05

Staff: Teresa Berntsen (786-7301).

Background:

Under current law (RCW 46.61.687), children less than 6 years old and/or 60 pounds traveling in a motor vehicle must be placed in a child restraint system that complies with federal standards and is installed according to the manufacturers' instructions. The laws specifies the requirements for what type of child restraint system must be used for a child according to age and weight.

Drivers transporting a child under 6 years of age or weighing less than 60 pounds must transport the child in the back seat if the vehicle is equipped with a passenger side air bag.

Failure to comply with the child passenger restraint requirements does not constitute negligence by a parent or legal guardian, and may not be admitted in court as evidence of negligence. Current law is silent regarding immunity from civil liability for installers or inspectors of child restraint systems.

Since RCW 46.61.687 was last amended in 2000, the National Highway Traffic Safety Administration has revised recommendations for how old and how tall a child should be before being placed in a seatbelt without a child restraint system. In addition, child restraint system technology and products have changed.

Summary of Bill:

- Changes the limit for when a child no longer has to be placed in a child restraint system from 6 years old and/or 60 pounds to 8 years old or 80 pounds, unless the child is at least 4' 9' tall.

- Deletes the specific requirements for what type of child restraint system a child needs to be in according to age and weight. Replaces with a requirement that a child must be in a restraint system used and installed according to the auto and child restraint manufacturers' directions.
- Adds a requirement that a child under 13 must be in the back seat of a car when practical.
- Provides that a person who provides inspection or education on proper child restraint use without compensation is not liable for civil damages, as long as the person is a currently certified child passenger safety technician and there is no gross negligence or willful misconduct.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.